

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

GUILLORY, MICHAEL JAMES

DEBTOR(S)

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CASE NO. 02-12017

CHAPTER 7

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND REPORT OF
PROPOSED DISTRIBUTION**

Daniel Jacob Goldberg, the Trustee of the estate of the above named Debtor(s), certifies under penalty of perjury, to the Court and United States Trustee that the Trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee hereby applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: April 20, 2005

/s:/ DANIEL JACOB GOLDBERG

Daniel Jacob Goldberg, Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

GUILLORY, MICHAEL JAMES

DEBTOR(S)

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CASE NO. 02-12017

CHAPTER 7

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND REPORT OF
PROPOSED DISTRIBUTION**

Daniel Jacob Goldberg, the Trustee of the estate of the above-named Debtor, hereby certifies under penalty of perjury, to the Court and to the United States Trustee that the Trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the Court. The Trustee hereby applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

Wherefore, the Trustee respectfully requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: April 20, 2005

/s:/ DANIEL JACOB GOLDBERG

Daniel Jacob Goldberg, Trustee

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: _____

By: _____

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

GUILLORY, MICHAEL JAMES

DEBTOR(S)

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CASE NO. 02-12017

CHAPTER 7

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND APPLICATION
TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Schedule F as a summary of the assets and estate property record. Any property scheduled under 11 U.S.C § 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Schedule A as the account of estate case receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that the after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Date: April 20, 2005

/s:/ DANIEL JACOB GOLDBERG

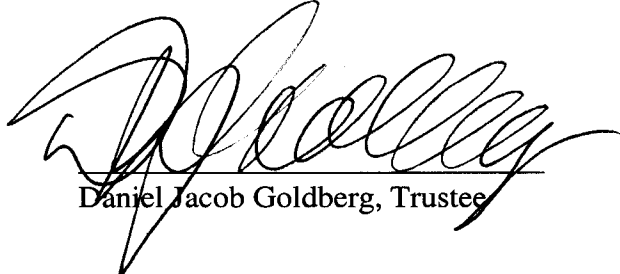
Daniel Jacob Goldberg, Trustee

THE STATE OF TEXAS

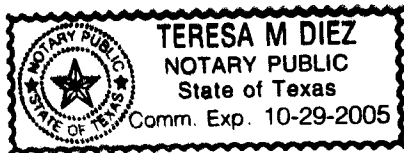
COUNTY OF HARRIS

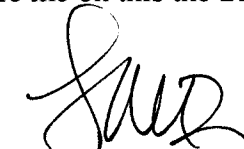
BEFORE ME, the undersigned authority on this date personally appeared Daniel Jacob Goldberg, and under oath stated the following:

"I, Daniel Jacob Goldberg, am the duly appointed Trustee in **GUILLORY, MICHAEL JAMES** bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341(a) meeting, reviewed additional documents provided at my request, and collected assets. Originally this matter was closed as a no asset case. After the closure I was advised that there was a personal injury claim pending which was property of the estate. I filed a Motion to reopen the case, and a Motion to Defer Payment. I filed an Application to hire Special Counsel to represent the estate in the personal injury matter. I had numerous conferences with special counsel and discussed the merits of the case with special counsel as well settlement proposals with special counsel. I filed an Application to approve a settlement of the personal injury litigation with the Court. I reviewed the claim docket in this matter. I monitored the estate, and had conferences with the debtor's attorney. I reviewed monthly bank statements on this matter. Further, I will have performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, and will make disbursements and will prepare the Supplemental Final Report.


Daniel Jacob Goldberg, Trustee

SWORN TO AND SUBSCRIBED TO before me on this the 21st day of April, 2005.




Notary Public, The State of Texas

Case Name: **GUILLORY, MICHAEL JAMES**
Case Number: **02-12017**

Final Report as of: April 20, 2005

SCHEDULE A-1

A. Receipts	\$15,005.97
B. Disbursements	
1. Secured Creditors	\$0.00
2. Administrative	\$7,268.42
3. Priority	\$0.00
4. Other	\$0.00
 TOTAL DISBURSEMENTS	 \$7,268.42
 BALANCE ON HAND:	 \$7,737.55

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page No: 1

Case No.: 02-12017
Case Name: GUILLOKY, MICHAEL JAMES
For the Period Ending: 4/20/2005

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 03/04/2002 (f)
\$341(a) Meeting Date: 04/26/2002
Claims Bar Date: 03/28/2005

	1	2	3	4	5	6
	Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustees, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA – § 554(e) abandon. DA – § 554(c) abandon.	Sales/Punts Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	Personal Injury Claim against Robert David Feather.	\$0.00	Unknown		\$15,000.00	FA
Asset Notes: Not Exempt-Not Scheduled.						
2	Homestead: 9380 Mclean, Beaumont, TX 77707	\$65,000.00	\$0.00		\$0.00	FA
Asset Notes: Exempt						
3	Checking Account - Bank One	\$0.00	\$0.00		\$0.00	FA
4	Savings Account - Bank One	\$0.00	\$0.00		\$0.00	FA
5	Household Goods (No one item over \$400)	\$2,195.00	\$0.00		\$0.00	FA
Asset Notes: Exempt						
6	Clothes	\$200.00	\$0.00		\$0.00	FA
Asset Notes: Exempt						
7	Life Insurance Policy (No Cash Value)	\$0.00	\$0.00		\$0.00	FA
Asset Notes: Exempt						
8	401k Plan	\$48,000.00	\$0.00		\$0.00	FA
Asset Notes: Exempt						
9	2000 Mercedes 230	\$31,000.00	\$0.00		\$0.00	FA
Asset Notes: Lienholder-Mercedes-Benz Credit Corp.						
INT	Interest Earned	Unknown	Unknown		\$5.97	FA

Major activities affecting case closing:

Initial Projected Date Of Final Report (TFR): 12/30/2006

Current Projected Date Of Final Report (TFR): 12/30/2006

FORM 2

Page No: 1

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 02-12017
Case Name: GUILLORY, MICHAEL JAMES
Taxpayer ID #: 76-6202158
For Period Beginning: 3/4/2002
For Period Ending: 4/20/2005

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: 8010212017
Account Title:
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	Uniform Tran Code	5 Deposit \$	6 Disbursement \$	7 Balance
02/07/2005	100	Matthew C. Matheny	Final Payment; Per Order EOD 11/29/04 Fees: \$6,000 / Expenses: \$1,268.42	*		\$7,268.42	(\$7,268.42)
			\$6,000.00)	3210-600			(\$7,268.42)
			\$(1,268.42)	3220-610			(\$7,268.42)
02/07/2005		Transfer From Acct#8020212017	Per Order EOD 11/29/04	9999-000	\$7,268.42		\$0.00
04/08/2005		Transfer From: # 8020212017	Transfer to Close Account	9999-000	\$7,737.55		\$7,737.55

TOTALS:
Less: Bank transfers/CDS \$15,005.97 \$7,268.42
Subtotal \$0.00 \$7,268.42
Less: Payments to debtors \$0.00 \$0.00
Net \$0.00 \$7,268.42

For the period of 3/4/2002 to 4/20/2005

Total Compensable Receipts: \$0.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$0.00
Total Internal/Transfer Receipts: \$15,005.97

Total Compensable Disbursements: \$7,268.42
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$7,268.42
Total Internal/Transfer Disbursements: \$0.00

For the entire history of the account between 12/29/2004 to 4/20/2005

Total Compensable Receipts: \$0.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$0.00
Total Internal/Transfer Receipts: \$15,005.97

Total Compensable Disbursements: \$7,268.42
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$7,268.42
Total Internal/Transfer Disbursements: \$0.00

FORM 2

Page No: 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 02-12017
Case Name: GUILLORY, MICHAEL JAMES
Taxpayer ID #: 76-6202158
For Period Beginning: 3/4/2002
For Period Ending: 4/20/2005

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Money Market Acct #: 8020212017
Account Title:
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
01/20/2005	(1)	USAA County Mutual Insurance Company	CK #07751310; Policyholder: Robert D. Feather	1149-000	\$15,000.00		\$15,000.00
01/31/2005	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$0.66		\$15,000.66
02/07/2005		Transfer To Acct#8010212017	Per Order EOD 11/29/04	9999-000		\$7,268.42	\$7,732.24
02/28/2005	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$2.49		\$7,734.73
03/31/2005	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$2.30		\$7,737.03
04/08/2005	(INT)	Sterling Bank	Account Closing Interest As Of 4/8/2005	1270-000	\$0.52		\$7,737.55
04/08/2005		Transfer To: # 8010212017	Transfer to Close Account	9999-000		\$7,737.55	\$0.00

TOTALS: \$15,005.97 \$15,005.97 \$0.00 \$15,005.97 \$0.00 \$0.00 \$0.00
Less: Bank transfers/CDS \$0.00
Subtotal \$15,005.97 \$0.00
Less: Payments to debtors \$0.00
Net \$15,005.97 \$0.00

For the period of 3/4/2002 to 4/20/2005

Total Compensable Receipts: \$15,005.97
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$15,005.97
Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$0.00
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$0.00
Total Internal/Transfer Disbursements: \$15,005.97

For the entire history of the account between 12/29/2004 to 4/20/2005

Total Compensable Receipts: \$15,005.97
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$15,005.97
Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$0.00
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$0.00
Total Internal/Transfer Disbursements: \$15,005.97

FORM 2 **CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 02-12017
Case Name: GUILLORY, MICHAEL JAMES
Taxpayer ID #: 76-6202158
For Period Beginning: 3/4/2002
For Period Ending: 4/20/2005

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Money Market Acct #: 8020212017
Account Title:
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTAL - ALL ACCOUNTS

NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
\$15,005.97	\$7,268.42	\$7,737.55

For the period of 3/4/2002 to 4/20/2005

Total Compensable Receipts: \$15,005.97
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$15,005.97
Total Internal/Transfer Receipts: \$15,005.97

Total Compensable Disbursements: \$7,268.42
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$7,268.42
Total Internal/Transfer Disbursements: \$15,005.97

For the entire history of the case between 03/04/2002 to 4/20/2005

Total Compensable Receipts: \$15,005.97
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$15,005.97
Total Internal/Transfer Receipts: \$15,005.97

Total Compensable Disbursements: \$7,268.42
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$7,268.42
Total Internal/Transfer Disbursements: \$15,005.97

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

In Re:

Michael James Guillory

Bankruptcy Case:
Chapter 7

02-12017 bp

Debtor(s):

BILL OF COURT COSTS

TO: Daniel Goldberg
2 Riverway, Suite 700
Houston, TX 77056-1918

Notice is hereby given that court costs (and deferred filing fees, if applicable) are now due pursuant to 28 USC Section 1930, in the above case in the amount of **\$155** (Total Amount)

These costs are itemized as follows

NOTICES

\$0.25 per notice in excess of 50 notices mailed prior to 1/1/87. --

\$0 (Prior to 1/1/87)

\$0.50 per notice for all notices mailed after to 1/1/87. --

\$0 (After 1/1/87)

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES. (Do Not Bill for \$0.50 per notice)

NOTE: For all other Chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$0.50 per notice)

PROCESSING CLAIMS

NOTE: The fee of \$0.25 for clerical processing of each claim in excess of 10 in. cases filed under the Act or Code has been eliminated

DEFERRED FILING FEES

0(Deferred Adversaries) Chapter 7 Adversary Proceeding(s) filed @ \$120.00/\$150.00 each.

\$0

Deferred Filing Fee - Motion To Reopen

\$155.00

TOTAL AMOUNT DUE

\$155

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: April 14, 2005

JAMES D. TOKOPH
Clerk of Court

BY: 
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EOD
11/29/2004

IN RE:	§	
	§	
MICHAEL JAMES GUILLORY	§	CASE NO. 02-12017-BP
	§	
Debtor	§	Chapter 7

**ORDER APPROVING MOTION TO APPROVE SETTLEMENT AND COMPROMISE
CONTROVERSY WITH ROBERT DAVID FEATHER ON A PERSONAL INJURY
CLAIM; AND COMPENSATION FOR MATTHEW C. MATHENY OF
THE LAW FIRM OF PROVOST & UMPHREY, LLP**

ON THIS DATE, came on to be considered the Motion of Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Michael James Guillory. To Approve Settlement and Compromise with Robert David Feather on a personal injury claim and Payment of Attorneys Fees and Costs (the "Motion"). The Court, after considering the Motion and the record before it makes the following findings:

a. Notice of the Motion is appropriate under Federal and Local Rules of Bankruptcy Procedure;

b. The Court has evaluated the applicable standards for approving a compromise of controversy under Fed. R. Civ.P. 9019 as set forth within *Protective Committee v. Anderson*, 390 U.S. 414, 424-425 and *Connecticut General Life Ins. Co. v. United Cos. Fin. Corp.*, 68 F.3d 914, 917 (5th Cir. 1994) and has determined that the Trustee's probability of success is uncertain. Litigation would be expensive and time consuming considering the amount in controversy, and the settlement of the action against Robert David Feather in the total settlement amount of \$15,000 is in the best interest of the Estate of Michael James Guillory and its creditors.

3. Based upon the foregoing, it is hereby ORDERED that the settlement and compromise between Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Michael James Guillory and Robert David Feather is APPROVED, for a gross settlement of \$15,000.

4. It is further Ordered that the Application for Compensation of the law firm of Provost & Umphrey, LLP be **Granted**, and that the firm is hereby Awarded Attorney's Fees in the amount of \$6,000 and Expenses in the amount of \$1,268.42, for a total of \$7,268.42 to be paid from estate funds as stated in the Application filed.

6. It is further Ordered that Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Michael James Guillory is hereby authorized to execute all documents necessary to effectuate the terms of this Order.

Signed:

Signed on 11/26/2004

A handwritten signature in black ink, appearing to read "Bill Parker", written over a horizontal line.

THE HONORABLE BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE

SCHEDULE B

APPLICATION FOR COMPENSATION

Case Name: **GUILLORY, MICHAEL JAMES**

Case Number: **02-12017**

COMPUTATION OF COMMISSIONS

Receipts	\$	9,864.61	25.00% of First \$5,000.00	\$	1,250.00
Less		-\$5,000.00	(\$1,250.00 Max)		
Balance	\$	4,864.61	10.00% of Next \$45,000.00	\$	486.46
Less		-\$45,000.00	(\$4,500.00 Max)		
Balance	\$	0.00	5.00% of Next \$950,000.00	\$	0.00
Less		-\$950,000.00	(\$47,500.00 Max)		
Balance	\$	0.00	3.00% of Balance	\$	0.00
TOTAL COMPENSATION REQUESTED					\$ 1,736.46

TRUSTEE EXPENSES:

Copies	\$95.75
Fax	\$5.75
Phone	\$1.50
Postage	\$16.13
CMRRR	\$11.60
Teresa Diez, Paralegal	\$429.00
Teresa Diez, Clerical	\$145.00

Total Unreimbursed Expenses: **\$704.73**

RECORDS: ☒ X ___ Trustee did not take possession of business of personal records of Debtor.
Notice given Debtor on _____ to pick up business or personal records in hands of Trustee.

RESUME OF THE PARALEGAL ASSISTANT TO THE TRUSTEE

Teresa M. Diez

Employed by the Trustee on September 17, 2001 to Present. Having over 8 years experience in Chapter 13 Trustee offices in Houston and Corpus Christi, Texas and bankruptcy law for a creditor law firm in Houston, Texas, and Chapter 7 Trustee office in Houston, Texas.

Her duties performed for the Trustee are as follows: the loading of information into the case management system when files are received. Setting up of files and financial files, filing, and document filing with the court. Preparing of Trustee's Report of No Distribution and various correspondence between Trustee and interested parties. Answer telephone calls regarding routine questions. Assisting with the location, collection and disposition of assets. Assisting in the collection of sale proceeds and accounts receivable. Answering questions from creditors, opening bank accounts, securing Tax Identification numbers, preparing deposits and disbursement checks, posting deposits and disbursements into the computer, reconciling monthly bank statements, verifying receipts against bank statements, organizing files in preparation of creditor meetings. Preparing objections to claims and other legal documents. Mailing notices. Preparing of Semi-Annual reports, Trustee's Final Reports, Requests for Compensation, and Trustee's Supplemental Final Reports. Assisting the Trustee with filing motions on litigation settlements and fee applications for special counsel. Filing of Motions to employ accountants, attorney's, and special counsel.

Ross, Banks, May, Cron & Cavin, P.C.
TIME ENTRIES

Daniel J. Goldberg, Chapter 7 Trustee

April 8, 2005

Case # 02-12017

Re: GUILLORY, MICHAEL JAMES, Debtor

DATE	ATTY	DESCRIPTION	HOURS	AMOUNT
Mar-21-02	TMD	Open bankruptcy file; enter information in time keeping system and bankruptcy system.	0.40	10.00
Apr-23-02	TMD	Print reports for meeting of creditors and organize file for meeting.	0.30	7.50
Apr-27-02	TMD	Organize file back from meeting and file report with court.	0.30	7.50
Sep-09-03	TMD	Fax correspondence to Amy Sanderson regarding auto accident claim not scheduled in bankruptcy proceeding.	0.30	7.50
Dec-01-03	DJG	Conference with Matt Matheny of Provost & Umphrey on claim of Guillory.	0.30	75.00
Dec-08-03	TMD	Draft Application to Reopen case and file with court.	0.50	32.50
Dec-08-03	TMD	Draft Motion to Defer payment of Fees and file with court.	0.50	32.50
Dec-08-03	TMD	Correspondence with Jodie of Provost & Umphrey, to forward affidavit for Matheny; also, fax copy to Matheny's attention.	0.40	10.00
Dec-10-03	TMD	Draft correspondence to Special Counsel to obtain original affidavit of Matheny.	0.30	7.50
Dec-11-03	TMD	Draft letter to M. Matheny forwarding affidavit of Dan Goldberg.	0.30	7.50
Feb-03-04	TMD	Correspondence with M. Matheny to request copy of fee contract for filing motion to employ	0.30	7.50

with court.

Feb-03-04	TMD	Draft Application to Employ Attorney for filing with court.	0.40	10.00
Feb-04-04	TMD	Received call from Becka with Provost & Umphrey, advising they sent contract in the mail today.	0.10	2.50
Feb-06-04	TMD	Draft and file Application to Employ Special Counsel.	0.60	39.00
Mar-03-04	TMD	Enter Assets.	0.30	7.50
Mar-19-04	TMD	Correspondence with M. Matheny to forward coy of Order approving employment of special counsel.	0.30	7.50
Sep-27-04	TMD	File request for Claims Bar date.	0.30	7.50
Sept-30-04	TMD	Enter Claims Bar Date in bankruptcy system for monitoring.	0.20	5.00
Oct-04-04	DJG	Receive and review correspondence from M. Matheny on settlement.	0.30	75.00
Oct-04-04	DJG	Draft correspondence to Matheny on forwarding itemized billing for costs, letter of protection and Rule 11 Agreement.	0.50	125.00
Oct-06-04	DJG	Draft correspondence to M. Matheny requesting copy of medical bill from South Central Physical Therapy.	0.40	100.00
Nov-02-04	TMD	Draft Application to Settle on PI claim; file with court.	1.00	65.00
Dec-28-04	DJG	Conference with K. Fuller on tax ID number.	0.30	75.00
Dec-28-04	DJG	Conference with Bonnie on setting up accounts and issuing tax ID number.	0.30	75.00
Jan-03-05	DJG	Conference with Guillory on M/L/S filed by his mortgage company.	0.30	75.00
Jan-18-05	DJG	Draft correspondence to M. Matheny regarding settlement.	0.30	75.00
Jan-19-05	DJG	Review Settlement and Release documents.	0.60	150.00

Jan-19-05	DJG	Conference with K. Fuller on deleting provision on outstanding bills, etc.	0.30	75.00
Jan-20-05	TMD	Open financial file and deposit funds in money market account.	0.30	7.50
Jan-24-05	TMD	Correspondence with Sterling Bank regarding collected funds.	0.20	5.00
Jan-31-05	TMD	Post Interest and reconcile bank account.	0.20	5.00
Feb-07-05	TMD	Open checking account; transfer funds from money market account into checking; write check to M. Matheny for fees and expenses.	0.40	10.00
Feb-15-05	DJG	Draft correspondence with Kevin Fuller regarding Releases in connection with settlement.	0.30	75.00
Feb-28-05	TMD	Post Interest and reconcile bank account.	0.30	5.00
Mar-16-05	DJG	Ran Claims Register Report—no claims filed in case.	0.30	75.00
Mar-31-05	TMD	Post Interest and reconcile bank account.	0.20	5.00
Apr-8-05	TMD	Begin preparation for TFR.	4.00	260.00

FEE SUMMARY:

	Hours	Rate	Amount
Daniel J. Goldberg	4.20	\$250.00	\$1,050.00
Teresa M. Diez (Clerical)	5.80	\$25.00	\$145.00
Teresa M. Diez (Paralegal)	6.60	\$65.00	\$429.00

TIME AND BILLING EXPENSE REPORT

Page No: 1

Case No.: 02-12017
Case Name: GUILLORY, MICHAEL JAMES

Trustee Name
Daniel Jacob Goldberg

DATE	RATE	QUANTITY	BILLABLE TOTAL	TOTAL	BILLING STATUS
Matter Code :					
Project Category :					
CMRRR					
04/08/2005	\$5.80	2.00	\$11.60	\$11.60	Billable
	Description: TFR and TDR bank statements				
		CMRRR Total:	\$11.60	\$11.60	
Copies					
04/26/2002	\$0.25	11.00	\$2.75	\$2.75	Billable
	Description: 341 Reports and hearing notice and trustee notes.				
09/08/2003	\$0.25	3.00	\$0.75	\$0.75	Billable
	Description: Docket				
12/08/2003	\$0.25	3.00	\$0.75	\$0.75	Billable
	Description: Docket				
12/08/2003	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: Notices of Appearance				
12/08/2003	\$0.25	5.00	\$1.25	\$1.25	Billable
	Description: Defer Fee				
12/08/2003	\$0.25	15.00	\$3.75	\$3.75	Billable
	Description: Reopen Case				
12/10/2003	\$0.25	1.00	\$0.25	\$0.25	Billable
	Description: P&U-Jodie				
12/11/2003	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: M. Matheny				
02/03/2004	\$0.25	3.00	\$0.75	\$0.75	Billable
	Description: Docket				
02/04/2004	\$0.25	40.00	\$10.00	\$10.00	Billable
	Description: EMPLOY DJG				
02/06/2004	\$0.25	96.00	\$24.00	\$24.00	Billable
	Description: EMPLOY MATTHEW MATHENY (P&U)				
11/01/2004	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: Docket				
11/02/2004	\$0.25	149.00	\$37.25	\$37.25	Billable
	Description: Settle RDFeather & Pay PU				
01/24/2005	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: Sterling Bank				
02/15/2005	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: K. Fuller				
04/08/2005	\$0.25	6.00	\$1.50	\$1.50	Billable
	Description: Docket				
04/08/2005	\$0.25	3.00	\$0.75	\$0.75	Billable
	Description: Form 2				
04/08/2005	\$0.25	30.00	\$7.50	\$7.50	Billable
	Description: Financial File				
		Copies Total:	\$95.75	\$95.75	
Fax					
09/09/2003	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: A. Sanderson				
12/06/2003	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				
12/08/2003	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				
02/03/2004	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				

TIME AND BILLING EXPENSE REPORT

Page No: 2

Case No.: 02-12017
Case Name: GUILLORY, MICHAEL JAMES

Trustee Name
Daniel Jacob Goldberg

DATE	RATE	QUANTITY	BILLABLE TOTAL	TOTAL	BILLING STATUS
03/19/2004	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: M. Matheny				
08/09/2004	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				
10/04/2004	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				
10/06/2004	\$0.25	2.00	\$0.50	\$0.50	Billable
	Description: M. Matheny				
10/11/2004	\$0.25	4.00	\$1.00	\$1.00	Billable
	Description: M. Matheny				
01/18/2005	\$0.25	1.00	\$0.25	\$0.25	Billable
	Description: M. Matheny				
	Fax Total:		\$5.75	\$5.75	
Phone					
12/28/2004	\$0.10	10.00	\$1.00	\$1.00	Billable
	Description: Bonnie				
12/28/2004	\$0.10	5.00	\$0.50	\$0.50	Billable
	Description: K. Fuller				
	Phone Total:		\$1.50	\$1.50	
Postage					
12/08/2003	\$0.37	1.00	\$0.37	\$0.37	Billable
	Description: Defer Fee				
12/08/2003	\$0.37	3.00	\$1.11	\$1.11	Billable
	Description: Reopen Case				
12/11/2003	\$0.37	1.00	\$0.37	\$0.37	Billable
	Description: M. Matheny				
02/05/2004	\$0.60	5.00	\$3.00	\$3.00	Billable
	Description: EMPLOY DJG				
02/06/2004	\$0.60	4.00	\$2.40	\$2.40	Billable
	Description: EMPLOY MATTHEW MATHENY (P&U)				
11/02/2004	\$0.37	23.00	\$8.51	\$8.51	Billable
	Description: Settle RDFeather & Pay PU				
02/15/2005	\$0.37	1.00	\$0.37	\$0.37	Billable
	Description: K. Fuller				
	Postage Total:		\$16.13	\$16.13	
Teresa Diez, Clerical					
04/08/2005	\$25.00	5.80	\$145.00	\$145.00	Billable
	Teresa Diez, Clerical Total:		\$145.00	\$145.00	
Teresa Diez, Paralegal					
04/08/2005	\$65.00	6.60	\$429.00	\$429.00	Billable
	Teresa Diez, Paralegal Total:		\$429.00	\$429.00	
	Project Category Total:		\$704.73	\$704.73	
	Matter Code Total:		\$704.73	\$704.73	
	EXPENSE SUMMARY:		\$704.73		

SCHEDULE C
EXPENSES OF ADMINISTRATION

Case Name: **GUILLORY, MICHAEL JAMES**

Case Number: **02-12017**

Description	Amount Claimed	Amount Allowed	Previously Paid	Due
1. 11 U.S.C. § 507(a)(1) Court Costs and Fees				
Clerk of the Court Costs (includes adversary and other filing fees)	\$155.00	\$155.00	\$0.00	\$155.00
2. 11 U.S.C. § 503(b)(1)(A) Preservation of estate (Trustee operated Debtor's business)				
3. 11 U.S.C. § 503(b)(1)(B),(C) Post Petition taxes and related penalties				
4. 11 U.S.C. § 503(b)(2) Compensation and Reimbursement				
Special Counsel for Trustee Expenses	\$1,268.42	\$1,268.42	\$1,268.42	\$0.00
Special Counsel for Trustee Fees	\$6,000.00	\$6,000.00	\$6,000.00	\$0.00
Trustee Compensation	\$1,736.46	\$1,736.46	\$0.00	\$1,736.46
Trustee Expenses	\$704.73	\$704.73	\$0.00	\$704.73
5. U.S. Trustee Fees				
6. Other (list)				
Totals	\$9,864.61	\$9,864.61	\$7,268.42	\$2,596.19

Priority Claims are listed in Schedule E _____
There are no Priority Claims X

SCHEDULE D
SECURED CLAIMS

Case Name: **GUILLORY, MICHAEL JAMES**

Case Number: **02-12017**

Claim No.	Claimant Name	Amount Claimed	Amount Allowed	Amount Disallowed	Previously Paid	Due
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* = Includes Interest in amount Due

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY

Case Name: **GUILLORY, MICHAEL JAMES**

Case Number: **02-12017**

Priority Description	Claimant Name	Amount Claimed	Amount Allowed	Amount Paid	Due
None					

* = Includes Interest in amount Due

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

GUILLORY, MICHAEL JAMES

DEBTOR(S)

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CASE NO. 02-12017

CHAPTER 7

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTION

The undersigned Trustee of the bankruptcy estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. Court has entered Orders which have become final, and which dispose of all objections to proofs of claim, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The Trustee proposes the following final distribution of the funds of the bankruptcy estate, and will make the distribution unless written objection thereto is filed with the Court and served upon the Trustee and upon The States Trustee.

1. Balance on Hand		\$7,737.55
2. Administrative Expenses to Be Paid Includes Trustee Fee & Expense	\$2,596.19	
3. Secured Claims To Be Paid	\$0.00	
4. Priority Claims To Be Paid	\$0.00	
5. Unsecured Claims To Be Paid	\$0.00	
6. Other Distributions To Be Paid	\$5,141.36	
7. Total Distributions To Be Made (Sum of Lines 2 through 6)		\$7,737.55
8. Zero Balance After All Distributions (Line 1 less Line 7)		\$0.00

/s:/ DANIEL JACOB GOLDBERG

*See attached schedule of payees and amounts

Daniel Jacob Goldberg, Trustee

COMPUTING TRUSTEE'S COMMISSION WHEN A SURPLUS IS RETURNED TO DEBTOR

In calculating the trustee's maximum compensation for those cases in which surplus is returned to the debtor, the amount of the surplus must be excluded from the base figure to which the allowable percentage rate is applied. Refer to 11 U.S.C. §326(a) which specifically excludes monies turned over to the debtor from being used as an element in the calculation of the maximum amount of compensation to which a trustee is entitled.

X= Trustee's Compensation (maximum possible)

Y= Costs of Administration (less trustee's maximum compensation) + amount paid or payable to creditors and others (except the debtor) (Includes trustee's expenses)
= **\$8,128.15**

S= Surplus to be returned to debtor

$$\begin{array}{lcl} \text{When Y is over \$3,750.00} & & \\ \text{but not more then \$44,250.00 :} & X = & \frac{1250 + 0.10 (Y - 5,000)}{0.90} \\ & & = \mathbf{\$1,736.46} \end{array}$$

Once the maximum amount of the trustee's compensation has been calculated, add this to the expenses of administration and other disbursements. Subtract this amount from the total estate monies available to determine the surplus to be returned to the debtor.

$$\begin{array}{l} S = \text{Total monies} - (X + Y) \\ = \$15,005.97 - (\$1,736.46 + \$8,128.15) \\ = \mathbf{\$5,141.36} \end{array}$$

PROPOSED CLAIM DISTRIBUTION REPORT

Page No: 1

Trustee Name: Daniel Jacob Goldberg
Case Number: 02-12017
Case Name: GUILLORY, MICHAEL JAMES
Claims Bar Date: 03/28/2005

Distribution Date: 04/15/2005
Distribution Amt: \$7737.55
Tax ID: 76-6202158
Date: 4/20/2005

Claim No	Creditor Name:	Claim Date:	Claim Class	Transaction Category	Proposed Distribution						
					Amount Allowed	Gross Amount	Deduction	Net Paid	Percentage	Interest	
1	DANIEL JACOB GOLDBERG Chapter 7 Trustee Houston TX 77056-1912	04/08/2005	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE COMPENSATION	2100-000	\$1736.46	\$1736.46	\$0.00	\$1736.46	100.00%	\$0.00	
	DANIEL J. GOLDBERG, CH 7 TRUSTEE	02/11/2004	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	2200-000	\$704.73	\$704.73	\$0.00	\$704.73	100.00%	\$0.00	
	CLERK, U.S. BANKRUPTCY COURT 300 Willow, Suite 100 Beaumont TX 77701	04/14/2005	507(A) 1 -- Court Cost	2700-000	\$155.00	\$155.00	\$0.00	\$155.00	100.00%	\$0.00	
Notes: Bill of Court Costs to Reopen Case.											
1	MICHAEL JAMES GUILLORY	04/08/2005	Excess Funds	8200-002	\$5141.36	\$5141.36	\$0.00	\$5141.36	100.00%	\$0.00	
TOTALS:					\$7737.55	\$7737.55	\$0.00	\$7737.55		\$0.00	

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

IN RE:

GUILLORY, MICHAEL JAMES

DEBTOR(S)

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CASE NO. 02-12017

CHAPTER 7

**ORDER ALLOWING TRUSTEE'S FINAL APPLICATION FOR COMPENSATION AND
APPROVING TRUSTEE'S FINAL REPORT AND PROPOSED DISTRIBUTION**

ON THIS DAY came on for consideration the Trustee's Final Report filed by Daniel Jacob Goldberg, the duly appointed Chapter Trustee. The Court finds that notice of this hearing has been given as required by the Bankruptcy Rules. Upon due consideration, the Court finds that cause exists which justifies the entry of the following order.

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's final application for Compensation in the amount of **\$1,736.46** and for reimbursement of expenses in the amount of **\$704.73 is Granted**.

IT IS FURTHER ORDERED that the Trustee's Final Report is approved as submitted by the Chapter 7 Trustee, including approval of the payment of the following fees and charges assessed against the Estate under Chapter 123 of title 28 of the United States Code.

FEES/CHARGES

PROPOSED PAYMENT

Clerk of the Court Costs (includes adversary and other filing fees)	\$155.00
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IT IS FURTHER ORDERED that the Chapter 7 Trustee shall make final distribution of the amount set forth in the Trustee's Final Report as approved by this Court and shall file a Supplemental Final Report and Account together with such bank statements as are necessary to document a zero balance in all Estate accounts, following compliance with Section 347(a) of the Bankruptcy Code and Bankruptcy Rule 3011, if applicable.

SIGNED:

BANKRUPTCY JUDGE